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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, For the
Use of Benefit of SOURCE HELICOPTERS,
DIVISION OF ROGERS HELICOPTERS,
INC., a California Corporation,

Plaintiff,

vs.

SAYERS CONSTRUCTION, LLC, a Texas
limited liability company; PHILADELPHIA
INDEMNITY INSURANCE COMPANY, a
Pennsylvania Corporation; and DOES I-V and
ROE CORPORATIONS I-V,

Defendants.

CASE NO. 2:19-cv-01602-JCM-EJY

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR JOINT
PRETRIAL ORDER
(THIRD REQUEST)**

Use-Plaintiff, Source Helicopters, Division of Rogers Helicopters, Inc. ("Plaintiff" or
"Rogers"), and Defendants, Sayers Construction, LLC ("Sayers") and Philadelphia Indemnity
Insurance Company ("PIIC"), by and through their attorneys, hereby stipulate and request the Court
extend the parties' deadline to file the Joint Pretrial Order. In support of this stipulation and request,
the following is provided, pursuant to LR IA 6-1:

The deadline for filing the Joint Pretrial Order in this action is currently set for Wednesday,
July 13, 2022. On April 11, 2022, the parties filed a stipulation to extend the pretrial order deadline
from April 13, 2022, to May 11, 2022 [Dkt. #94], which the Court granted [Dkt. #95]. On the same

1 day, PIIC filed its Motion for Reconsideration and Clarification of the Court's Order on the parties'
2 cross motions for summary judgment [Dkt. #93]. Rogers filed its response to PIIC's Motion for
3 Reconsideration on April 25, 2022 [Dkt. #96], and PIIC filed its reply is May 2, 2022 [Dkt. #98].

4 On April 25, 2022, Rogers filed its own Motion for Reconsideration and for Clarification of
5 the Court's Order [Dkt. #97]. Sayers's responded to Rogers's Motion for Reconsideration on May 9,
6 2022 [Dkt. #101]. PIIC responded to Rogers' Motion for Reconsideration on May 9, 2022 [#120].
7 Sayers filed its Reply to PIIC [Dkt. #102] and its Reply to Sayers [Dkt. #103] on May 16, 2022.

8 Given the Motions for Reconsideration, the Parties stipulated, and the Court ordered that the
9 Joint Pretrial Order is due 20 days after the court's decision [Dkt. #100]. On June 22, 2022, the Court
10 granted Rogers' Motion for Reconsideration, and granted PIIC's Motion to Clarify [Dkt. #105].
11 Based on the Parties' Stipulation [Dkt. #100], twenty days after June 22, 2022 to file the Joint Pretrial
12 Order is July 13, 2022.

13 Counsel for PIIC, who will try the case, will be out of the country and state from July 6
14 through July 18, 2022, for a previously scheduled European cruise with his parents (aged 91 and 89)
15 and other family members, and a subsequent college reunion. This schedule results in an inability to
16 fully comply with LR 16-3(b) which states that "the attorneys . . . who will try the case and who are
17 authorized to make binding decisions must personally discuss settlement and prepare and file a
18 proposed joint pretrial order" The schedule of PIIC's Counsel will take away time from the
19 adequate preparation of the Joint Pretrial Order and mandated settlement discussion. Moreover, the
20 Court's decisions on the motions for reconsideration substantially alter the scope of the issues to be
21 addressed in the Joint Pretrial Order.

22 Lead trial counsel for Sayers is specially set for trial in the U.S. District Court for the Eastern
23 District of Texas on August 8, 2022. The trial is expected to last longer than a week. Other counsel for
24 Sayers, who will be second chair at trial, will be out of the country from August 11 to August 21,
25 2022, for a previously scheduled trip to Africa, including areas where Internet connectivity is not
26 reliable. Additionally, counsel for Sayers has numerous depositions, hearings, and briefs, including an
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appellate brief due in a matter pending in the Fifth Circuit Court of Appeals on August 4, 2022, that will not permit counsel for Sayers to comply with LR 16-3(b) by the current deadline.

In consideration of the above, the parties submit good cause is present for their request for an extension of the current deadline for the Joint Pretrial Order. The parties propose the current July 13, 2022 deadline for filing the Joint Pretrial Order shall be extended to **August 29, 2022**.

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By /s/ Maeghan Whitehead

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Dated: July 8, 2022

IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

Dated: July 8, 2022

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Dated: July 8, 2022